

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CAPITAL INVESTMENT FUNDING, LLC,

Plaintiff,

v.

LANCASTER RESOURCES, INC., et al.

Defendants.

Civil Action No. 08-4714 (JLL) (JAD)

**ORDER ON PLAINTIFF'S MOTION
FOR LEAVE TO FILE A THIRD
AMENDED COMPLAINT**

JOSEPH A. DICKSON, U.S.M.J.

This matter comes before the Court upon Plaintiff Capital Investment Funding, LLC's Motion for Leave to File a Third Amended Complaint. (ECF No. 346). Pursuant to Federal Rule of Civil Procedure 78, the Court did not hear oral argument on this issue. Upon consideration of the parties' submissions, and for the reasons stated in this Court's Opinion filed on this day,

IT IS on this 27th day of February, 2015

ORDERED that Plaintiff's Motion for Leave to File a Third Amended Complaint is **GRANTED IN PART** and **DENIED IN PART**; and it is further

ORDERED that Plaintiff's Motion is **DENIED** to the extent it seeks to add causes of action under the Racketeer Influenced Corrupt Organizations Act or for "Collection of a Book Account" (Counts XII through XVII of Plaintiff's Proposed Third Amended Complaint); and it is further

ORDERED that the balance of Plaintiff's Motion is **GRANTED**; and it is further

ORDERED that, on or before March 16, 2015, Plaintiff shall file a Third Amended Complaint that complies with the terms of this Order; and it is further

ORDERED that Defendants' Cross-Motions seeking dismissal of Plaintiff's Second Amended Complaint, (ECF Nos. 347, 348 and 349), are denied as moot. Defendants may file responses to Plaintiff's Third Amended Complaint in the ordinary course.

s/ Joseph A. Dickson
Joseph A. Dickson
United States Magistrate Judge

Cc: Hon. Jose L. Linares, U.S.D.J.